

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DEBRA CONWAY,

Plaintiff,

v.

GC SERVICES, LP,

Defendant.

§ No. 4:14-cv-1333

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**COMPLAINT**

DEBRA CONWAY (Plaintiff), through her attorneys, KROHN & MOSS, LTD., alleges the following against GC SERVICES, LP (Defendant):

**INTRODUCTION**

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
4. Defendant conducts business in the state of Texas, and therefore, personal jurisdiction is established.
5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

## **PARTIES**

6. Plaintiff is a natural person residing in Reno, Washo County, Nevada.
7. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
8. Defendant is an alleged debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
9. Defendant is a national debt collection company with its main office located in Houston, Texas and it conducts business in Texas.

## **FACTUAL ALLEGATIONS**

10. In or around February of 2014, Defendant placed collection phone calls to Plaintiff seeking and demanding payment for an alleged debt.
11. Plaintiff's alleged debt arises from transactions for personal, family, and household purposes.
12. Defendant called Plaintiff's telephone number at 775-829-72XX.
13. At or around 1:46pm on February 7, 2014, Defendant's representative, "Shawntee", placed and recorded a collection phone call to Plaintiff.
14. Defendant's caller id showed phone number 775-473-6348, a phone number that belongs to Defendant.
15. Plaintiff answered Defendant's phone call, and informed Defendant's representative, "Shawntee", that Plaintiff had retained attorney "Nick Wajda" to represent Plaintiff in this matter.
16. After Plaintiff's conversation with Defendant's representative, "Shawntee", Plaintiff received additional phone calls from Defendant on: February 13, 2014 at 10:16am, 3:17pm, and 1:32pm.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

18. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(a)(2) of the FDCPA by communicating with Plaintiff despite knowing that Plaintiff was represented by an attorney.

WHEREFORE, Plaintiff, DEBRA CONWAY, respectfully requests judgment be entered against Defendant, GC SERVICES, LP, for the following:

19. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15

U.S.C. 1692k;

20. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,

15 U.S.C. 1692k;

21. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

Dated: May 14, 2014

By: /s/Ryan S. Lee

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